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road rates) "realized that important differences in rate regulation are constitutionally possible. Consequently, of course, none of those courts sufficiently considered the question whether in the statute before it the legislature had actually established definite principles for the guidance of the commission in naming specific rates. And for that reason it cannot be said that that question has been finally settled as to any particular statutory provision."

The essay is a strong argument from the legal point of view of the necessity of strictly limiting the authority of commissions to ministerial and quasi-ministerial functions. It concludes in two or three paragraphs, in which the author descends from the admirably judicial and scholarly plane on which the rest of the book is written, the gist of which is that expediency requires the same limitation upon the powers of these commissions, as that which the author contends is imposed by law.

H. M. B.

A TREATISE ON THE LAW OF REAL PROPERTY.. By Alfred G. Reeves, A.M., LL.B., professor of law in the New York Law School, author of "A Treatise on Special Subjects of the Law of Real Property," and editor of "Reeves' Leading Cases on Wills." In two volumes. Boston: Little, Brown & Co., 1909, pp. cxxiv, 1659.

This is no digest of the decisions on the law of real property of all the United States nor of any state. It is no compilation of the late law of the subject. We have here the mature work of the mature student. It is manifest also that the author is and for years has been a leader of students. The student is never out of his mind. His analysis of the subject, his selection of illustrations and citations, are always with a view to exposition. In the first place he devotes his first hundred and nine pages of his text to a general prospectus of the subject. He seems convinced that there is no way of getting at the subject that does not presuppose a knowledge by the student in a general way at least of other branches of the subject; and to overcome this difficulty, well known to all who have tried to teach this branch, he has chosen to give this general survey before attempting to present any topic in detail. Then he has tried to give the student a graphic picture of the whole by means of charts. Coming now to take up the topics in detail, we discover that he is familiar with the writings of the masters who have dealt with the subject before him, Coke, Cruise, Kent, Williams; nothing found by Digby or Pollock and Maitland in their researches has escaped him. He knows and shows the decisions out of which the law grew, what decision gave rise to that doctrine, how this statute was induced and what was its effect. The historic development of the law is kept before the student continually. The advantage it possesses over the older works, lies principally in the elimination of the obsolete portions treated by Cruise, the more compendious treatment of the developments of the seventh and eighteenth centuries, the incorporation of the older discoveries of Digby, Pollock, and Maitland, and the addition of citations to important American decisions. In discussing the statutory changes in this country he has emphasized the statutes of New York, from which those of Michigan, Wisconsin, Minnesota, Iowa, the Dakotas, and other states, were directly or indirectly derived. No topic

is given an encyclopedic treatment; but it is doubted if in any other place will be found a better elementary statement of the general principles of the American Law of real property than in these 1588 pages of text and notes. It is much easier to find fault than to do good work, and we are all prone to the line of least resistance; which impels the final remark that the usefulness of the work would, in the opinion of the critic, have been greatly increased by parallel references in the citations to the various series of selected cases in which the decisions cited have been reported, including the American Decisions, American Reports, American State Reports, and L. R. A., in all of which extended notes on the points discussed are often found; but more than all others, it is believed, reference should have been made to the various publications of leading cases on the law of real property selected and published for the use of law students. Reference to these not only gives weight to the citation, but affords a ready reference to many and directs the attention of all to the best collections of original authorities. J. R. R.

CASES ON THE CONFLICT OF LAWS. Selected from Decisions of English and American Courts. By Ernest G. Lorenzen, Ph.B., LL.B., J.U.D. Professor of Law in George Washington University. St. Paul: West Publishing Company, 1909. pp xxi, 784.

This is one of the American Case-book series of which Professor James Brown Scott of George Washington University, is general editor. The aim is "to supply scholarly case-books for instruction in the class-room" on all branches usually taught in law schools which "shall be uniform and symmetrical in plan and treatment" and show the "origin and development" of the law.

A company of well known legal educators have been enlisted to prepare these several case-books under the direction of the general editor. This work of Professor Lorenzen is worthy of commendation. While the real test of the pudding is in the eating, so that of the case-book is the class-room, still it is easily seen that the cases are selected with discrimination, and well develop and illustrate this branch of the law. The notes evidence an acquaintance with the Continental as well as with the English and American law of the subject quite beyond that available at many law schools.

The editor has found it necessary to eliminate much matter from the opinions in cases used from the statements of facts and in general the briefs of counsel. Doubtless most judges would prefer that their opinions should be read as a whole rather than that any one however competent, should extract particular portions and make such portions speak the law for the court. But with most subjects this editing is imperative from a practical point of view. To use cases enough to fairly develop the fundamental principles, in the time the law school gives to particular subjects if the full reports of cases are to be given, would require an amount of reading on the part of the student almost if not quite physically impossible. It seems a rule of necessity incident to the case-book system. And just here does Professor Lorenzen seem to have used excellent judgment. In the opinion of the writer little will be lost to the student by such abbreviations as are made. V. H. L.